Serial No. 09/108,715

IN THE SPECIFICATION:

Page 2, line 18:   Delete "whether or" and insert
--when--.

IN THE CLAIMS:

Please amend claims 1, 3-8, 10, 11 and 13 as
follows:

1.   (Amended) A facsimile apparatus capable of
receiving confidential image data from an origin and
provided with a confidential reception function,
comprising:

a memory which stores received confidential image
data;

a notification data transmission means for
transmitting notification data to said origin indicating
that the confidential image data has not been retrieved[,
in the event that the confidential image data stored in
the memory area has not been retrieved in a predetermined
time]; and

a deletion means for deleting the confidential image
data from the memory in response to [the] completion of
transmission of said notification data by the
notification data transmission means, [.]
wherein said notification data is transmitted if the
confidential image data has not been retrieved after a
predetermined time.

3.   (Amended) A facsimile apparatus as claimed in
claim 1,
wherein said notification data includes [a] time
information of the confidential image data transmission.

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4.   (Amended) A facsimile apparatus as claimed in claim 1,

wherein said notification data includes [an] addressee information of the confidential image data.

5.   (Amended) A facsimile apparatus as claimed in claim 1,

wherein said notification data includes [an] information providing notification that the confidential image data was erased.

6.   (Amended) A facsimile apparatus as claimed in claim 1, further comprising:

a retransmission means for re-transmitting the notification data when [the] transmission of the notification data is not completed successfully.

7.   (Amended) A facsimile apparatus as claimed in claim 6, further comprising:

a prohibiting means for prohibiting said deletion of the confidential image data when the transmission of the notification data is not completed after a predetermined number of retransmission attempts [times of said retransmission].

8.   (Amended) A facsimile apparatus as claimed in claim 1, further comprising:

an [a] identification means for identifying a transmitter telephone number based on transmitted data; wherein said memory stores the transmitter telephone number in connection with the confidential image data.

10.   (Amended) A facsimile apparatus as claimed in claim 1,

~~wherein said~~ memory stores a [the] time of receipt
of the confidential image data in connection with the
confidential image.

11.   (Amended) A facsimile apparatus provided with a
confidential reception function, comprising:
    a memory which stores received confidential image
data;
    an output means for outputting [the] stored
confidential image data in response to input of a
password by an operator;
    a determination means for determining whether [or
not the] confidential image data has been output by the
output means within a predetermined time after its
reception;
    a notification data transmission means for
transmitting notification data indicating that
confidential image data has not been output when [output,
in the event that] the determination means has determined
that output of the confidential image data has not been
performed;
    a detection means for detecting proper completion of
transmission of the notification data; and
    a deletion means for deleting [the] confidential
image data from the memory in response to detection by
~~the detection means.~~

13.   ~~(Amended) A managing method for managing a~~
confidential received image in a facsimile apparatus
provided with a confidential reception function,
comprising the steps of:
    receiving confidential image data and storing the
image data in a memory;
    ~~monitoring whether the stored confidential image~~

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~~data has been~~ output within a predetermined time ~~after~~
image data [the] reception;

transmitting notification data indicating that
output has not occurred[, in the event that] when output
has not occurred within the predetermined time;

detecting proper completion of transmission of the
notification data; and

deleting the confidential image data from the memory
~~in~~ response to a [the] detection.

PLEASE ADD CLAIM 15.

15. ~~(New) A facsimile apparatus capable of receiving~~
confidential image data from a source comprising:

a memory capable of storing received confidential
image data;

a notification transmitter adapted to transmit
notification data to the source;

a confirmation apparatus adapted to confirm receipt
of the notification data by the source; and

a deleting apparatus adapted to delete stored
confidential image data;

wherein the notification transmitter transmits the
notification data after a predetermined time if the
confidential image data has not been retrieved, and the
deleting apparatus deletes the confidential image data
when the confirmation apparatus confirms that the source
~~has received the notification data.~~

REMARKS

Foreign Priority

The acknowledgement, in the Office Action, of a
claim for foreign priority under 35 U.S.C. § 119(a)-(d),

and that the certified copies of the priority documents have been received, is noted with appreciation.

Status Of Application

Claim 15 has been added to this pending application, therefore claims 1-15 are currently pending. Claim 15 does not add new matter and does not require that an additional search be conducted.

Claims 1-14 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,673,373 to Nosaki et al (hereinafter "Nosaki").

Drawings

The Notice of the Draftsperson's Objections is noted. Applicant will provide corrected figures upon receiving a Notice of Allowance.

35 U.S.C. § 102(e) Rejection

The rejection of claims 1-14 under 35 U.S.C. § 102(e) as being anticipated by Nosaki is respectfully traversed based on the following.

One aspect of the Applicant's present invention is directed to a facsimile apparatus that is capable of receiving confidential image data from an origin and is provided with a confidential reception function. The facsimile apparatus includes memory which stores received confidential image data. The facsimile apparatus also includes a notification data transmission means for transmitting notification data to the origin indicating that the confidential image data has not been retrieved

and a deletion means for deleting the confidential image data from the memory in response to the completion of transmission of the notification data. The notification data is transmitted if the confidential image data has not been retrieved after a predetermined time.

Nosaki is directed to a series of networked printers and a print server that allows one of many users to selectively print a document when no other user is in the vicinity of the printer by labeling the document as secret. The user first labels the document as secret and then sends the print job to the print server. Upon receiving the file to be printed, the print server checks to insure that the entire file to be printed has been sent to the designated printer, if it has not, then the file is sent again. If the designated printer received the entire file to be printed, then the file is deleted from the print server. (Nosaki, Column 7, lines 57-67). Once rasterizing of the print job at the designated printer is complete, the print server sends a password and specific job data to the user.

> [T]he user who sent print data receives the requested Print Job specific data and the password and is able to recognize the print job, out of plural print jobs, for which the print preparation has completed and for what the password is.

> Thereafter, the user checks the print server 2 to confirm that there is no other user in the vicinity and asks for the output of his own print job by inputting Print Job specific data and the password through the control panel 24.

(Nosaki, Column 6, lines 35-43). If the correct password is entered, then the document is printed by the

designated printer for the user. Therefore, the user
first sends a print job to the print server and then
after receiving a password and/or print job specific data
from the server, then inputs a command to the printer to
print the job. This is quite distinct from the
Applicant's claimed invention.

Claim 1 of the Applicant's claimed invention is
drawn to a facsimile apparatus that requires, among other
things:

> a **notification data transmission means** for
> transmitting notification data to said **origin**
> indicating that the confidential image data has
> not been **retrieved;** and
>   a **deletion means** for deleting the
> confidential image data from the memory in
> response to completion of transmission of said
> notification data by the notification data
> transmission means,
>   wherein said notification data is
> transmitted if the confidential image data has
> not been **retrieved** after a predetermined time.

(emphasis added)

Nosaki does not disclose an apparatus that sends
notification to the **origin** of the confidential image data
indicating that the confidential image has not been
retrieved. Nosaki is directed to a printer that prints
when a password is entered. Furthermore, Nosaki does not
disclose any structure for deleting the confidential
image data from memory (46)(or any other memory) upon a
failure of a user to retrieve the "rasterized" image data
therefrom. It is noted that Nosaki does teach deleting
certain image data from the print server (Nosaki,
Column 7, lines 64-66); however, such deletion is not
time dependent but rather a function of whether the image

data stored at the print server has been properly
transferred.

As Nosaki fails to disclose every limitation of the
Applicant's present invention, it cannot anticipate
claim 1 of Applicant's claimed invention.

The above argument is equally applicable to claims
2-10 of the Applicant's claimed invention, as they depend
from claim 1.

Claim 11 requires:

A facsimile apparatus provided with a
confidential reception function, comprising:
a memory which stores received
confidential image data;
an output means for outputting stored
confidential image data in response to input of
a password by an operator;
a determination means for determining
whether confidential image data has been output
by the output means within a predetermined time
after its reception;
a notification data transmission means for
transmitting notification data indicating that
confidential image data has not been output
when the determination means has determined
that output of the confidential image data has
not been performed;
a detection means for detecting proper
completion of transmission of the notification
data; and
a deletion means for deleting confidential
image data from the memory in response to
detection by the detection means.

Claim 13 requires:

A managing method for managing a
confidential received image in a facsimile
apparatus provided with a confidential
reception function, comprising the steps of:
receiving confidential image data and

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storing the image data in a memory;
monitoring whether the stored confidential image data has been output within a predetermined time after image data reception; transmitting notification data indicating that output has not occurred, when output has not occurred within the predetermined time; detecting proper completion of transmission of the notification data; and deleting the confidential image data from the memory in response to a detection.

The above argument in reference to claim 1 is equally applicable to claims 11 and 13, as well as claim 12 which depends from claim 11, and claim 14 which depends from claim 13.

Accordingly, it is respectfully requested that the rejection of claims 1-14 under 35 U.S.C. § 102(e) as being anticipated by Nosaki be reconsidered and withdrawn.

For at least the above stated reasons, claim 15 is also distinguishable from Nosaki.

CONCLUSION

In view of the foregoing amendment and remarks, this application is considered to be in condition for allowance, and an early reconsideration and a Notice of Allowance are respectfully solicited.

This amendment increases the number of independent claims by one from three to four independent claims and increases the total number of claims from fourteen to fifteen, but does not present any multiple dependency claims. Accordingly, a check in the amount of $80 is enclosed herewith. However, if the check is insufficient